

Laurence D. King (SBN 206423)  
Mario M. Choi (SBN 243409)  
KAPLAN FOX & KILSHEIMER LLP  
350 Sansome Street, Suite 400  
San Francisco, CA 94104  
Telephone: 415-772-4700  
Facsimile: 415-772-4707  
[lking@kaplanfox.com](mailto:lking@kaplanfox.com)  
[mchoi@kaplanfox.com](mailto:mchoi@kaplanfox.com)

Counsel for Plaintiff Luxpro Corporation

[Additional counsel appear on signature block]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LUXPRO CORPORATION, a Taiwanese  
corporation,

Plaintiff,

v.

APPLE, INC., f/k/a Apple Computer, Inc.,

Defendant.

Case No. 3:10-cv-03058-JSW

STIPULATION AND ~~PROPOSED~~ ORDER  
RE BRIEFING SCHEDULE ON MOTION  
TO DISMISS AND MOTION TO STAY

Judge: Hon. Jeffrey S. White

WHEREAS, defendant Apple Inc. f/k/a Apple Computer, Inc. (“Defendant”), filed a Motion to Dismiss the Second Amended Complaint (“Motion to Dismiss”) of Plaintiff Luxpro Corporation (“Plaintiff”) and a Motion to Stay on October 15, 2010 [Dkt. Nos. 141, 148];

WHEREAS, both the Motion to Dismiss and the Motion to Stay are set for hearing on January 28, 2011;

WHEREAS, on October 15, 2010, the Court issued an Order Setting Briefing Schedule, ordering that Plaintiff’s opposition to the Motion to Dismiss shall be filed by no later than October 29, 2010, and Defendant’s reply shall be filed by no later than November 5, 2010 [Dkt. No. 147];

WHEREAS, on October 19, 2010, the Court issued an Order (1) Setting Briefing Schedule Regarding Motion to Stay and (2) Continuing Case Management Conference, ordering, *inter alia*, that Plaintiff’s opposition to the Motion to Stay shall be filed by no later than November 2, 2010, and Defendant’s reply shall be filed no later than November 9, 2010 [Dkt. No. 150];

WHEREAS, Plaintiff and Defendant have agreed to modify the briefing schedule to take into account attorney and client scheduling conflicts;

PLAINTIFF AND DEFENDANT, BY AND THROUGH THEIR RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

1. Plaintiff’s oppositions to Defendant’s Motion to Dismiss and Motion to Stay shall be filed by no later than November 19, 2010.

2. Defendant’s reply briefs in support of its Motion to Dismiss and Motion to Stay shall be filed no later than December 10, 2010.

DATED: October 22, 2010

By: /s/ Laurence D. King  
LAURENCE D. KING

Laurence D. King  
Mario M. Choi  
KAPLAN FOX & KILSHEIMER LLP  
350 Sansome Street, Suite 400  
San Francisco, CA 94104  
Telephone: 415-772-4700  
Facsimile: 415-772-4707  
[lking@kaplanfox.com](mailto:lking@kaplanfox.com)  
[mchoi@kaplanfox.com](mailto:mchoi@kaplanfox.com)

Donald R. Hall, *Pro Hac Vice*  
KAPLAN FOX & KILSHEIMER LLP  
850 Third Avenue, 14th Floor  
New York, NY 10022  
Telephone: 212-687-1980  
Facsimile: 212-687-7714  
[dhall@kaplanfox.com](mailto:dhall@kaplanfox.com)

James R. Jackson, *Pro Hac Vice*  
Jeremy Y. Hutchinson, *Pro Hac Vice*  
Patton Roberts, PLLC  
111 Center St., Suite 1315  
Little Rock, AR 72201  
Telephone: 501-372-3480  
Facsimile: 501-372-3488  
[jjackson@pattonroberts.com](mailto:jjackson@pattonroberts.com)  
[jhutchinson@pattonroberts.com](mailto:jhutchinson@pattonroberts.com)

Richard A. Adams, *Pro Hac Vice*  
Reid D. Miller, *Pro Hac Vice*  
Phillip N. Cockrell, *Pro Hac Vice*  
Corey D. McGaha, *Pro Hac Vice*  
Patton Roberts, PLLC  
2900 St. Michael Dr., Suite 400  
Texarkana, TX 75503  
Telephone: 903-334-7000  
Facsimile: 903-334-7007  
[pcockrell@pattonroberts.com](mailto:pcockrell@pattonroberts.com)  
[Richard.adams@pattonroberts.com](mailto:Richard.adams@pattonroberts.com)  
[cmcgaha@pattonroberts.com](mailto:cmcgaha@pattonroberts.com)  
[rmiller@pattonroberts.com](mailto:rmiller@pattonroberts.com)

Patrick J. Conroy, *Pro Hac Vice*  
Glenn E. Janik, *Pro Hac Vice*  
Theresa M. Dawson, *Pro Hac Vice*  
Daniel F. Olejko, *Pro Hac Vice*  
Shore Chan Bragalone DePumpo LLP  
901 Main Street, Suite 3300  
Dallas, TX 75202  
Telephone: 214-593-9110  
Facsimile: 214-593-9111  
[pconroy@shorechan.com](mailto:pconroy@shorechan.com)  
[ghanik@shorechan.com](mailto:ghanik@shorechan.com)  
[tdawson@shorechan.com](mailto:tdawson@shorechan.com)  
[dolejko@shorechan.com](mailto:dolejko@shorechan.com)

*Counsel for Plaintiff Luxpro Corporation*

DATED: October 22, 2010

By: /s/ Stuart C. Plunkett

STUART C. PLUNKETT

Penelope A. Prevolos  
Stuart C. Plunkett  
Alexei Klesoff  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, CA 94105-2482  
[pprevolos@mofo.com](mailto:pprevolos@mofo.com)  
[splunkett@mofo.com](mailto:splunkett@mofo.com)  
[aklestoff@mofo.com](mailto:aklestoff@mofo.com)  
Telephone: 415-268-7000  
Facsimile: 415-268-7522

*Attorneys for Defendant Apple, Inc. f/k/a/ Apple  
Computer, Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: October 28, 2010

By:   
HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE